

EXHIBIT 7



State of North Carolina

ROY COOPER
ATTORNEY GENERAL

Department of Justice
P.O. Box 629
RALEIGH
27602

TRACY J. HAYES
ASST. ATTORNEY GENERAL
HEALTH AND PUBLIC ASST.
TEL: (919) 716-6840
FAX: (919) 716-6758

December 2, 2008

VIA ELECTRONIC MAIL

Neil Merkl (nmerkl@kelleydrye.com)
Damon W. Suden (dsuden@kelleydrye.com)
KELLEY DRYE & WARREN, LLP
101 Park Avenue
New York, NY 10178-0002


RE: In re: Pharmaceutical Industry Wholesale Price Litigation, United States of America
ex. rel. Ven-A-Care of the Florida Keys, Inc., et al., Civil Action No. 05-11084-PBS

Dear Mr. Merkl:

My client, the North Carolina Department of Health and Human Services, received a subpoena duces tecum on November 21, 2008, issued by you on behalf of Defendants Dey, Inc., Dey L.P., Inc. and Dey, L.P., seeking the production of documents on or before December 3, 2008. As I explained to your assistant and your associate, Mr. Suden, the subpoena my client received included an illegible attachment (Exhibit A). Only today was I able to obtain a clean copy of the subpoena and its exhibits.

Pursuant to Rule 45(c)(2)(B) of the Federal Rules of Civil Procedure, the North Carolina Department of Health and Human Services formally objects to your subpoena as overly broad and unduly burdensome. Specifically, responding to requests #1 and #2 of Exhibit A would entail weeks, if not months, of staff time, and the estimated cost to the State of such an endeavor would be unreasonable. The Department is unable to respond before the deadline of December 3 or the discovery deadline of December 15.

We regret that we cannot be more helpful.

Sincerely,

Tracy J. Hayes
Assistant Attorney General